

§914.16

30 CFR Ch. VII (7–1–11 Edition)

Original amendment submission date	Date of final publication	Citation/description
January 13, 1997	August 25, 1997	310 IAC 12–3–130 (4), (5), –131, –132, –132.5, –133, –134, –134.1, –134.5, –135.
January 14, 1997	August 25, 1997	310 IAC 12–0.5–39.5, 72.1, 75.5, 77.5, 107.5; 12–3–81, 87.1; 12–5–94, 130.1.
March 7, 1997	September 8, 1997	310 IAC 12–1–7(a), (15)(A), (17); 12–1–7.1 (a) through (c); 12–1–11(b), (c) (1) through (3), (d) (1) through (3).
September 11, 1995	November 4, 1997	IC 14–8–2–42.5, –49.5, –49.6, –274.5; 14–34–5–10; 14–34–6–14.3, –14.6; 14–34–7–0.5, –0.6, –0.7, –2.5, –4 (b), (d) through (g), –4.1, –5, –7, –7.1, –8, –9, –10, –11, –12, –13.
March 6, 1998	July 24, 1998	310 IAC 12–3–46(a), (b)(2) through (b)(5); 12–3–80(a), (b)(2) through (b)(5); 12–3–110 (f), (g); 12–5–32(a), (b); 12–5–97(a), (b).
March 6, 1998	September 29, 1998	310 IAC 12–0.5–6(a) through (c); 12–3–78(a) and (b); 12–5–98(a), (c) and (d); and 12–5–145.5.
May 15, 1998	March 16, 1999	IC14–8–2–117.3, 14–34–4–18, 14–34–5–7(b) through (d), –8, –8.1, –8.2(1) through (3), –8.2(5)(A) through (5)(C), –8.3, –8.4(a) through (c)(1), –8.4(c)(2)(A) through (J) and (L), –8.5–8.6.
March 8, 1999	June 14, 1999	310 IAC 12–3–31(a)(3), (c); 12–3–48(a)(3); 12–3–69(a)(3), (c)(3), (d); 12–3–106(a)(8).
May 7, 1999	August 12, 1999	310 IAC 12–3–109(a) through (d); 12–3–114(b), (e), and (f); 12–3–115(b); 12–4–12(b)(4), (b)(6)(A)(ii), and (c); 12–4–16(a), (c), and (d); 12–6–2(a), (b), (c), and (e).
July 1, 1999	October 26, 1999	310 IAC 12–8–4.1; –8.1.
August 2, 1999	November 22, 1999	310 IAC 12–5–64.1(c) and 128.1(c).
August 31, 1999	January 7, 2000	310 12–5–159; IC 14–34–2–6(b) and (c).
February 25, 2000	May 26, 2000	IC 14–34–6–15(b) and (c).
February 4, 2000	June 5, 2000	310 IAC 0.6–1–1 through 17 [repealed]; 310 IAC 0.7–3–5 [repealed]; 312 IAC 3–1–1 through 18.
August 21, 2001	November 16, 2001	Recodification of rules from 310 IAC 12 to 312 IAC 25; nonsubstantive revisions to those rules; substantive revisions to 312 IAC 25–1–8, 25–4–17, 25–4–18, 25–4–45, 25–4–58, 25–4–59, 25–4–113, and 25–4–118.
September 3, 2003	December 31, 2003	312 IAC 25–1–45.5, 60.5, 109.5; 25–4–43(4), 47(b)(9), 85(b)(8), 93(4); 25–6–12.5, 76.5.
June 2, 2004	September 14, 2004	IC 14–8–2–117.3; 14–34–6–7, 14–34–6–10(b)(2); 14–34–8–4(g) and (h), 14–34–8–6, 14–34–8–11(a), (b), (e), and (f); 2004–71–32.
June 2, 2004	October 1, 2004	312 IAC 25–6–31(c); 25–9–5(g); 25–9–8(b)(3) and (c).
May 19, 2004	November 29, 2004	312 IAC 25–1–8; 25–1–75.5; 25–1–155.5; 25–4–17(a)(1), (d), (e), and (f); 25–4–45(b)(4); 25–4–49(a), (c), (d), (f), and (g); 25–4–87(a), (c), (d), (f), and (g); 25–4–102(d)(1), (e), and (f); 25–4–105.5; 25–4–113(f) and (g); 25–4–114(d); 25–4–115(a)(3) and (13); 25–4–118(4) and (8); 25–5–7(b); 25–5–16(b) and (c); 25–6–17(a)(3), (b)(2), (d)(2), and (d)(3); 25–6–20(a) and (c); 25–6–23(a)(2) and (4)(C); 25–6–25; 25–6–66(2); 25–6–81(a)(3), (d)(2) and (3); 25–6–84(a) and (c); 25–6–130(2); 25–7–1(a), (d)(2), (f), and (g); 25–7–20.
October 23, 2006	May 21, 2007	312 IAC 25–4–102(a)(1) and (3); (b); (d)(4), (6), and (8); (e)(3); (f)(5); 25–6–143(b)(3) and (8), (c).
.....	October 18, 2007	312 IAC 25–1–57; 25–4–87; 25–5–16(a), (b) [new], and (c) [formerly (b)]; 25–6–20; 25–6–66; and 25–7–1.

[62 FR 9939, Mar. 5, 1997, as amended at 62 FR 44896, 44898 Aug. 25, 1997; 62 FR 47140, Sept. 8, 1997; 62 FR 59578, Nov. 4, 1997; 63 FR 39729, July 24, 1998; 63 FR 51829, Sept. 29, 1998; 64 FR 12896, Mar. 16, 1999; 64 FR 31693, June 14, 1999; 64 FR 43913, Aug. 12, 1999; 64 FR 57567, Oct. 26, 1999; 64 FR 63684, Nov. 22, 1999; 65 FR 1063, Jan. 7, 2000; 65 FR 34094, May 26, 2000; 65 FR 35575, June 5, 2000; 66 FR 57659, Nov. 16, 2001; 68 FR 75422, Dec. 31, 2003; 69 FR 55352, Sept. 14, 2004; 69 FR 58832, Oct. 1, 2004; 69 FR 69287, Nov. 29, 2004; 72 FR 28454, May 21, 2007; 72 FR 59009, Oct. 18, 2007]

§914.16 Required program amendments.

Pursuant to 30 CFR 732.17, Indiana is required to submit for OSM’s approval the following proposed program amendments by the dates specified.

(a)–(dd) [Reserved]

(ee) By July 1, 1994, Indiana shall amend 310 IAC 12–05.–139(b) to provide that the interpretation of the terms of the document used to establish a valid

existing right shall be based either upon applicable State statutory or case law concerning interpretation of documents conveying mineral rights, or where no applicable State statutory or common law exists, the interpretation is based upon the provisions at subdivisions 139(b) (1) and (2).

[49 FR 20286, May 14, 1984]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §914.16, see the List of CFR

Surface Mining Reclamation and Enforcement, Interior

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Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 914.17 State regulatory program and proposed program amendment provisions not approved.

(a) The amendment at Indiana Code 14-34-5-7(a) submitted on May 14, 1998, concerning permit revisions is hereby disapproved effective March 16, 1999.

(b) The amendment at Indiana Code 14-34-5-8.2(4) submitted on May 14, 1998 concerning postmining land use changes is not approved effective August 15, 2001.

(c) The amendment at Indiana Code 14-34-5-8.4(c)(2)(K) submitted by Indiana on May 14, 1998, concerning minor field revisions of temporary cessation of mining is hereby disapproved effective March 16, 1999.

[64 FR 12896, Mar. 16, 1999, as amended at 66 FR 42750, Aug. 15, 2001]

§ 914.20 Approval of Indiana abandoned mine land reclamation plan.

The Secretary approved the Indiana abandoned mine land reclamation plan, as submitted on December 7, 1981, on

July 26, 1982, effective July 29, 1982. Copies of the approved plan are available at:

(a) Indiana Department of Natural Resources, Division of Reclamation, R.R. 2, Box 129, Jasonville, IN 47438-9517.

(b) Office of Surface Mining Reclamation and Enforcement, Indianapolis Field Office, Minton-Capehart Federal Building, Room 301, 575 North Pennsylvania Street, Indianapolis, IN 46204-1521.

[64 FR 20166, Apr. 26, 1999]

§ 914.25 Approval of Indiana abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
January 22, 1988	November 29, 1988	Project selection reclamation coordination, land acquisition, rights of entry, lien consideration, public participation, procurement, accounting systems, endangered and threatened species listing, revised administrative and management structure of the plan.
December 6, 1991	May 11 and October 6, 1992.	Revisions to the Indiana State Reclamation Plan corresponding to 30 CFR 884.13(c)(1), (2), (3), (5), (7), (d)(1), (e)(1), (2), (f)(1).
November 17, 1992 ..	October 26, 1994 ...	Emergency response reclamation program.
July 23, 1997	March 16, 1998	Indiana plan §§ 884.13(c)(2) through (7), (d)(1) through (3), (f)(2), (3); emergency response reclamation program.
June 2, 2004	September 14, 2004	IC 14-34-19-15.

[62 FR 9940, Mar. 5, 1997, as amended at 63 FR 12652, Mar. 16, 1998; 69 FR 55352, Sept. 14, 2004; 69 FR 69287, Nov. 29, 2004]

§ 914.30 State-Federal Cooperative Agreement.

STATE-FEDERAL COOPERATIVE AGREEMENT

The Governor of the State of Indiana (Governor) and the Secretary of the Department of the Interior (Secretary) enter into a Cooperative Agreement (Agreement) to read as follows:

ARTICLE I: INTRODUCTION, PURPOSES AND RESPONSIBLE AGENCIES

A. Authority

This Agreement is authorized by section 523(c) of the Surface Mining Control and Reclamation Act (SMCRA), 30 U.S.C. 1273(c), which allows a State with a permanent regulatory program approved by the Secretary under section 503 of SMCRA, 30 U.S.C. 1253, to elect to enter into an Agreement for the State regulation of surface coal mining and reclamation operations (including surface operations and surface impacts incident to underground mining operations) on Federal lands. This Agreement provides for State regulation of coal exploration operations not subject to 43 CFR part 3400 and surface coal